MS: PATENT APPLICATION

NIP-188-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application:

H. AKIYAMA et al

Serial No. 09/623,040

Filed: August 25, 2000

Group Art Unit:

2881

Examiner:

B. Souw

For:

CHARGED PARTICLE BEAM IRRADIATION EQUIPMENT AND CONTROL METHOD THEREOF

REQUEST FOR CONTINUATION APPLICATION <u>UNDER 37</u> C.F.R. 1.53(b)

Commissioner of Patents MS: Patent Application Alexandria, VA 22314

Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b) of pending prior application Serial No. 09/623,040, filed on August 25, 2000, entitled CHARGED PARTICLE BEAM IRRADIATION EQUIPMENT AND CONTROL METHOD THEREOF, by all of the inventors named in the prior application.

- 1. Enclosed is a copy of the prior application, including the Declaration as originally filed.
 - 2. The Filing Fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW PLUS ANY CLAIMS ADDED BY ACCOMPANYING PRELIMINARY AMENDMENT

Basic Fee \$ 770.00 Total Claims = \$ 0.00 20 0 x 18 Independent Claims 1 -3 = \$ Total Filing Fee \$ 770.00

- 3. A check including the amount of \$770.00 is enclosed to cover the Filing Fee.
- 4. Cancel claims 1-10 before calculating the Filing Fee.

 A Preliminary Amendment is being filed herewith.
- 5. The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment, to Deposit Account No. 50-1417. A duplicate copy of this Request is enclosed for this purpose.
- 6. Amend the specification by inserting, before the first line:

This application is a continuation application of U.S. Serial No. 09/623,040, filed August 25, 2000. This application is related to U.S. Serial No. 10/287,656, filed November 5, 2002.

- 7. New drawings are enclosed, seven (7) sheets, Figs. 1-7.
- 8. The power of attorney is set forth in the Declaration in the prior application or an associate power of attorney is hereby granted to:

Jeffrey M. Ketchum, Registration No. 31,174 Shrinath Malur, Registration No. 34,663 John R. Mattingly, Registration No. 30,293 Daniel J. Stanger, Registration No. 32,846 Gene W. Stockman, Registration No. 21,021. There is a change in the correspondence address.

Address all future correspondence to:

MATTINGLY, STANGER & MALUR 1800 Diagonal Road, Suite 370 Alexandria, Virginia 22314 (703) 684-1120.

Please associate this application with Customer No. 24956.

- 9. The prior application is assigned to Hitachi, Ltd.
- 10. Priority of the following Japanese patent applications is claimed under 35 U.S.C. § 119:

PCT/JP99/05250 filed September 27, 1999.

The undersigned hereby declares that no matter contained in the specification, including the claims, and drawings filed in the present continuation application would have been new matter in the prior application Serial No. 09/623,040, as originally filed on August 25, 2000.

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Date: November 20, 2003

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